

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

ROBERT S. GOLLAHON,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.: 1:07cv308
)	
D.R. HORTON, INC., et al.,)	
)	
Defendants.)	

ORDER

Before the Court, without the necessity of oral argument, is Defendant D.R. Horton, Inc.'s Motion for Partial Summary Judgment (Dkt. no. 93) and Plaintiff's Cross Motion for Summary Judgment (Dkt. nos. 97-98, 103). As the pleadings in support of and in opposition to the respective cross motions for summary judgment establish that there are material facts at issue which should be decided at trial, it is hereby

ORDERED that Defendant D.R. Horton, Inc.'s Motion for Partial Summary Judgment (Dkt. no. 93) is DENIED; and Plaintiff's Cross Motion for Summary Judgment (Dkt. nos. 97-98, 103) is DENIED.

Entered this 7th day of November, 2007.

/s/
Liam O'Grady
United States District Judge

Alexandria, Virginia